

## **REMARKS**

Claims 1, 3-6, 8-11, 13-23 are pending in this application. By this Amendment, claims 1, 10 and 11 are amended. Claim 10 is amended for form. Support for the amendments may be found, for example, in Fig. 26 and in the corresponding portions of the specification. No new matter is added. In view of the foregoing amendments and at least the following remarks, reconsideration and prompt allowance are earnestly solicited.

### **I. Personal Interview**

The courtesies extended to Applicant's representative by Examiner Olaniran at the interview held October 30, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

### **II. The Claims Satisfy the Requirements of 35 U.S.C. §112**

The Office Action rejects claim 10 under 35 U.S.C. §112 for omitting essential steps. Specifically, the Office Action asserts that claim 10 should recite "encoding the computer readable medium." By this Amendment, claim 10 is amended to recite "A computer readable medium encoded to perform the method of claim 1." Thus, reconsideration and withdrawal of the rejection are respectfully requested.

### **III. The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1, 3-6, 8-11 and 13-23 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2001/0043510 to Yanagida et al. in view of U.S. Patent No. 2001/0007591 to Pompei. These rejections are respectfully traversed for at least the following reasons.

Regarding claims 1 and 11, the Office Action recognizes that Yanagida fails to disclose various features (see Office Action, page 3). However, the Office Action asserts that Pompei remedies the deficiency in Yanagida.

However, Pompei fails to disclose "learning sets of transmission parameters for optimal focus on said objects, the learning including associating sets of transmission parameters with detected objects, storing the sets of transmission parameters and computing a resultant set of transmission parameters based on the stored sets of transmission parameters" as recited in claim 1, or the corresponding feature of apparatus claim 11.

Pompei discloses the "steering/focusing/shaping" of an ultrasonic beam. However, Pompei fails to disclose storing sets of transmission parameters and computing a resultant set of transmission parameters based on the stored sets of transmission parameters. The mere teaching of an apparatus capable of "steering/focusing/shaping" an ultrasonic beam cannot reasonably be considered to correspond to a device capable of storing sets of transmission parameters for reuse. In other words, a device may be "steered" regardless of whether such device learns and stores information associated with a set of transmission parameters optimized for a detected object. Thus, Pompei cannot be considered to disclose "storing the sets of transmission parameters and computing a resultant set of transmission parameters based on the stored sets of transmission parameters," as recited in claim 1 and the corresponding feature of apparatus claim 11.

Thus, for at least these reasons, independent claims 1 and 11 are patentable over the applied references. Further, claims 3-6, 8-10 and 13-23, which variously depend from claims 1 and 11, are also patentable over the applied references for at least the reasons discussed above, as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-6, 8-11, 13-23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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